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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 EDWARD ONTIVERAS,

No. CIV S-04-1141-GEB-CMK-P

12 Petitioner,

13 vs.

ORDER

14 DIRECTOR OF CORRECTIONS,
15 et al.,

16 Respondents.
17 _____/

18 Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of
19 habeas corpus pursuant to 28 U.S.C. § 2254.

20 Respondents contend that petitioner has no federally protected liberty interest in
21 parole under California law. To support that contention, respondents rely on an order of a district
22 judge of this court in Sass v. California Board of Prison Terms, 376 F. Supp. 2d 975 (E.D. Cal.
23 2005). The Sass case is under submission in the United States Court of Appeals for the Ninth
24 Circuit following oral argument on March 16, 2006.

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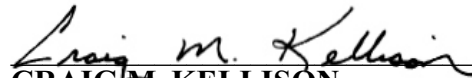
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1 In light of the complexity of the legal issues involved, the court sua sponte
2 determines that justice requires appointment of counsel. See 18 U.S.C. § 3006A(a)(2)(B); see
3 also Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983).

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The Federal Public Defender is appointed to represent petitioner;
- 6 2. The Clerk of the Court is directed to serve a copy of petitioner's habeas
7 corpus petition (Doc. 1) and a copy of this order on Ann McClintock, Assistant Federal Public
8 Defender;
- 9 3. Petitioner's counsel shall contact the Clerk's Office to make arrangements
10 for copies of other documents in the file; and
- 11 4. Within 60 days of the date of service of this order, the parties are directed
12 to file separate reports on the status of this case, addressing in particular any issues the parties
13 wish to bring to the attention of the court with respect to resolving the instant petition.

14 DATED: August 28, 2006.

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17 **CRAIG M. KELLISON**
18 UNITED STATES MAGISTRATE JUDGE
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